

10/521799

FITCH, EVEN, TABIN & FLANNERY

ATTORNEYS AND COUNSELLORS AT LAW

Established in 1859

SUITE 401L - 1801 K STREET, NW
WASHINGTON, D.C. 20006-1201

TELEPHONE (202) 419-7000

FACSIMILE (202) 419-7007

ILLINOIS OFFICE

SUITE 1600 - 120 SOUTH LA SALLE STREET, CHICAGO, ILLINOIS 60603-3406

TELEPHONE (312) 577-7000

CALIFORNIA OFFICE

SUITE 250 - 9276 SCRANTON ROAD, SAN DIEGO, CA 92121-7708

TELEPHONE (858) 552-1311

COLORADO OFFICE

SUITE 213 - 1942 BROADWAY, BOULDER, COLORADO 80302

TELEPHONE (303) 402-6966

January 21, 2005

MORGAN L. FITCH, JR.
FRANCIS A. EVEN*
JULIUS TABIN
JOHN F. FLANNERY
ROBERT B. JONES
JAMES J. SCHUMANN
JAMES J. HAMILL
TIMOTHY E. LEVSTIK
JOSEPH E. SHIPLEY
KENNETH H. SAMPLES
PHILIP T. PETTI
JOSEPH T. NABOR
STEVEN C. SCHROER
RICHARD A. KABA*
KARL R. FINK
MARK W. HETZLER
TIMOTHY P. MALONEY
JAMES P. KRUEGER
STEPHEN S. FAVAKEH
RICHARD E. WAWRZYNIAK
STEVEN G. PARMELEE
THOMAS F. LEBENS
BRUCE R. MANSFIELD
KENDREW H. COLTON*
G. PAUL EDGELL*
MICHAEL A. SANZO*
SCOTT A. MENGHINI
NORMAN N. KUNITZ*
RUDY KRATZ
RAMON R. HOCH*

EDWARD E. CLAIR
JON A. BIRMINGHAM
JOHN E. LYHUS
STEVEN M. FREELAND
DONNA E. BECKER
MICHAEL G. VRANICAR
BRIAN S. CLISE
MARTIN R. BADER
DEREK L. PRESTIN
MARK A. BORSOS
DAVID R. JAGLOWSKI
TIMOTHY R. BAUMANN
JEFFREY A. CHELSTROM
NICHOLAS T. PETERS
KENNETH A. PLOCHINSKI
MEGAN J. REDMOND

PATENT AGENTS

ERIC J. WHITESELL
LILIA I. SAFONOV

OF COUNSEL

GEORGE W. SPELLMIRE, JR.
LISA M. SOMMER
GEORGE H. SPENCER, P.C.*

TECHNICAL ADVISOR

JOHN M. BRONK, Ph.D.

*ADMITTED TO D.C. BAR; D.C. PRACTICE OF
ALL OTHERS LIMITED TO FEDERAL COURTS
AND AGENCIES

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, MS PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Re: Entry into National Stage for:
Intl. Appl. No.: PCT/EP2003/007927
Intl. Filing Date: July 21, 2003
For: **Process for the Preparation of 3-Hydroxy-
(2-Thienyl)Propanamines**
Inventor(s): Hems, *et al.*
Atty. Dkt.: 7601/84189

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. A copy of PCT/EP2003/007927 as filed on July 21, 2003, and naming
as inventor(s):

William Hems
Kai Rossen
Dietmar Reichert
Klaus Köhler
Juan José Almena Perea

Commissioner of Patents
January 21, 2005
Page 2

the application comprising:

22 pages of Specification (numbered as pages 1-22),
3 pages of Claims (numbered as pages 23-25), and
a one-page Abstract (numbered as page 26);

2. Preliminary Amendment (8 pages);
3. A copy of the PCT Request with a copy of the Declaration attached (9 pages);
4. A copy of Form PCT/IB/371, Notification Relating to Declaration Made Under PCT Rule 4.17, with copy of Declaration attached (5 pages);
5. A copy of the PCT application, as published (27 pages);
6. A copy of the International Preliminary Examination Report (2 pages);
7. General Authorization for Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(3) (1 page);
8. General Authorization to Charge Deposit Account (1 page);
9. A copy of PCT/IB/304, Notification Concerning Submission or Transmittal of the Priority Document (1 page);
10. A copy of PCT/IB/308, Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (1 page);
11. A copy of PCT/IB/306, Notification of the Recording of a Change in the address of inventor Juan José Almendra Perea; and
12. Two (2) return postcards.

Commissioner of Patents
January 21, 2005
Page 3

This application represents U.S. national stage of international application PCT/EP2003/007927, which had an international filing date of July 21, 2003. The international application claims priority to German applications 102 33 724.1, filed on July 24, 2002, and 102 58 098.7, filed on December 11, 2002. The present application claims priority to these previously filed counterparts and incorporates them by reference.

Fee Calculation

Applicant(s) calculate the filing fee as follows:

	Total		No. Extra	Rate	Fee
Basic Filing Fee					\$ 300.00
Utility Search Fee					500.00
Utility Examination Fee					200.00
Utility Application Size Fee				\$ 250.00	
Claims in Excess of 20	73	20=	53	\$ 50.00	2,650.00
Independent Claims in Excess of 3	2	3 =	0	\$ 200.00	0.00
Multiple Dependent Claims Fee				\$ 360.00	360.00
TOTAL FEES DUE					\$ 4,010.00

The Director is hereby authorized to charge the above-listed fees to our Deposit Account No. 06-1135 under Order No. 7601/84189. The Director is also authorized to charge any fee deficiency with respect to this filing and any other fee required in connection with the present case, or credit any overpayment, to our Deposit Account No. 06-1135 under Order No. 7601/84189.

Correspondence in this case should be directed to Michael A. Sanzo at the address associated with Customer No.:

42798.

Commissioner of Patents
January 21, 2005
Page 4

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY



Michael A. Sanzo
Attorney for Applicants
Registration No. 36,912

MAS:ct
Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Hems, *et al.*

U.S. Natl. Phase of: PCT/EP2003/007927

Intl. Filing Date: July 21, 2003

Filed: herewith

Appl. No.: to be assigned

For: **Process for the Preparation of 3-Hydroxy-
(2-Thienyl)Propanamines**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt.: 7601/84189

General Authorization to Charge Deposit Account

Commissioner of Patents
U.S. Patent and Trademark Office
Customer Service Window, **MS PCT**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

The Director is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135 under Order No. 7601/84189.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By

Michael A. Sanzo

Michael A. Sanzo
Reg. No. 36,912
Attorney for Applicants

Date January 19, 2005
1801 K Street, N.W., Suite 401L
Washington, DC 20006-1201
Phone: (202) 419-7013